

BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000-14<sup>th</sup> STREET, N.W., SUITE 420  
WASHINGTON, D.C. 20009  
(202) 671-0550

IN THE MATTER OF	)	DATE: October 31, 2003
	)	
Lawrence C. Cager, Jr.	)	DOCKET NO.: 03F-219
Deputy Director	)	
Department of Housing and Community	)	
Development	)	
3001 Granada Avenue	)	
Baltimore, Maryland 21207	)	

**ORDER**

**Statement of the Case**

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of General Counsel following a determination by its Public Information Records Management Division, that pursuant to the D.C. Code §1-1106.02 (2001 Edition), Lawrence C. Cager, Jr., Deputy Director, Department of Housing and Community Development, failed to timely file, a Financial Disclosure Statement for calendar year 2002, on or before May 15, 2003 as required by D.C. Official Code §1-1106.02 and also failed to file on or before the OCF sanctioned extended filing deadline of June 19, 2003.

By Notice of Hearing, Statement of Violations and Order of Appearance dated August 15, 2003, OCF ordered Lawrence C. Cager, Jr. (hereinafter respondent), to appear at a scheduled hearing on August 27, 2003 and show cause why he should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

**Summary of Evidence**

OCF alleges that the respondent failed to timely file the statutorily required Financial Disclosure Statement for calendar year 2002, on or before June 19, 2003.

On July 31, 2003, OCF received a fully executed Financial Disclosure Statement (FDS) from respondent dated and notarized on June 19, 2003, but postmarked July 30, 2003. Respondent did not appear at the scheduled hearing. Respondent did not provide an explanation for the filing delinquency, or mailing delay. Respondent is a Management Supervisory Service employee.

**Findings of Fact**

Having reviewed the allegations and the record herein, I find:

1. Respondent is a Management Supervisory Service employee.
2. Respondent was required to file a Financial Disclosure Statement with OCF for calendar year 2002, on or before June 19, 2003.
3. Respondent filed the required Financial Disclosure Statement with OCF online on July 31, 2003.
4. Respondent submitted to OCF a fully executed Financial Disclosure Statement dated June 19, 2003, but postmarked on July 30, 2003.
5. Respondent is a first-time required FDS filer.
6. Respondent did not appear at the scheduled hearing.
7. Respondent did not provide an explanation for the filing delinquency, or mailing delay.
8. Respondent is currently in compliance with the statute.

**Conclusions of Law**

Based upon the record provided by OCF, I therefore conclude:

1. Respondent violated D.C. Official Code §1-1106.02.
2. The penalty established at D.C. Official Code §1-1103.05(b)(3), and 3DCMR §§3711.2(aa), 3711.2 and 3711.4 for failure to timely file a Financial Disclosure Statement required by D.C. Official Code §1-1106.02 is a fine of \$50.00 per day for each business day subsequent to the due date.
3. In accordance with D.C. Official Code §1-1103.05(b)(3), the respondent may be fined a maximum of \$1,400.00.00 for failing to timely file a Financial Disclosure Statement.
4. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.

5. Respondent's status as a first-time required filer and a novice to the FDS filing requirements mitigate toward a reduced fine. Notwithstanding, respondent is admonished that OCF requires an explanation for any filing delinquency.

**Recommendation**

In view of the foregoing and information included in the record, I hereby recommend that the Director impose a fine of \$250.00, with the provision that the fine will be suspended upon OCF's receipt of a written explanation for the filing delinquency within 15 days of receipt of the Order.

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**Date**

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**Jean Scott Diggs**  
**Hearing Officer**

**Concurrence**

In view of the foregoing, I hereby concur with the Recommendation.

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**Date**

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**Kathy S. Williams**  
**General Counsel**

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that a fine of \$250.00 be hereby imposed in this matter, with the provision that the fine will be suspended upon receipt of a written explanation for the filing delinquency within 15 days of the date of this Order.

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**Date**

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**Cecily E. Collier-Montgomery**  
**Director**

**SERVICE OF ORDER**

This is to certify that I have served a true copy of the foregoing Order.

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**Rose Rice**  
**Legal Assistant**

**NOTICE**

Pursuant to 3DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16<sup>th</sup> day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14<sup>th</sup> Street, N.W., Washington, D.C. 20009.